

Memorandum



Date: January 25, 2007

To: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

Agenda Item No. 8(A)(1)(A)

From: George M. Burgess
County Manager

A handwritten signature in black ink, appearing to read "Burgess", written over the printed name of George M. Burgess.

Subject: Final Change Order No. 2, MIA Cc. H Glazing Replacement Project
MDAD Project No. F172A which increases the Contract Amount by \$38,277.00

The attached Retroactive Final Change Order No.2 to the contract between TGSV Enterprise, Inc. and Miami-Dade County has been prepared by the Miami-Dade Aviation Department (MDAD), and is recommended for approval.

CHANGE ORDER NO.: Two (Final - Close-out)

PROJECT: MIA Cc. H Glazing Replacement

PROJECT NO.: F172A

PROJECT LOCATION: Miami International Airport

PROJECT DESCRIPTION: The project consists of the replacement of the existing glass panels and the reinforcement of the supporting frames in Concourse H to provide a one (1) hour fire rated, UL listed, glazing assembly that also meets the wind load requirements of the South Florida Building Code. The new glazing will provide protection to the building's occupants from heat and flames generated by potential fires on the aircraft apron within one hundred (100) feet of the glass panels.

PRIME CONTRACTOR: TGSV Enterprises, Inc.

COMPANY PRINCIPALS: Jesus M. Gomez, President
Roy Rodriguez, Vice President
Gerald M. Vitale, Vice President
Mary V. Tatum, Secretary

GENDER AND ETHNICITY OF PRINCIPALS: Hispanic male, White Male and White Female

CERTIFIED AS CSBE AT TIME OF AWARD: N/A

CONTRACT MEASURES: No Measures. Insufficient Availability

COMPANY QUALIFIER: C. Harvey Tatum

LOCATION OF COMPANY: Hialeah, Florida

YEARS IN BUSINESS: Nine years

PREVIOUS CONTRACTS
WITH COUNTY DURING
THE LAST FIVE YEARS:

Fifteen (15) contracts totaling \$55,826,940

CONTRACTOR
PERFORMANCE:

Capital Improvements Information System (CIIS) Evaluation score of 2.8 based on one project. Rating scale of 1-4; One being unresponsive performance and 4 being superior performance.

ORIGINAL COST
ESTIMATE:

\$3,836,442.00

ORIGINAL CONTRACT
AMOUNT:

\$4,353,750.36

ALLOWANCE ACCOUNT
HISTORY:

Original Amount:	\$391,348.35
Allowance Account Increase	0
Total Amount Used	\$391,348.00
Current Balance Remaining:	\$ 0.35

CHANGE ORDER
RECOMMENDATION:

Change Order No. 2 increase the contract amount by \$38,277.00 for the following items:

1. Replace two damaged electronic deluge panels serving zones 2 and 3.
2. Comply with Fire Department list and (3) support Second Floor deluge sprinkler pipes.

JUSTIFICATION FOR
CHANGE ORDER:

1. Hurricane Katrina caused two of the deluge panels to be damaged by water intrusion and had to be replaced. 2. The Miami-Dade Fire Department required a list of changes and additions to the original approved design to comply with revised fire code requirements. 3. The pipe hangers specified in the original design did not meet the actual existing conditions. The hanger design had to be modified to meet these actual field conditions and requirements.

ADJUSTED CONTRACT
AMOUNT:

\$4,392,027.36

PERCENTAGE OF
INCREASE OR DECREASE
PREVIOUS CHANGE
ORDERS:

0%, Time extensions Only

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Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners
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PERCENTAGE OF
INCREASE OR DECREASE
THIS CHANGE ORDER: 0.88%

ORIGINAL CONTRACT
COMPLETION DATE: April 11, 2003

REVISED CONTRACT
COMPLETION DATE
PER CHANGE ORDER
NO.: ONE October 31, 2003

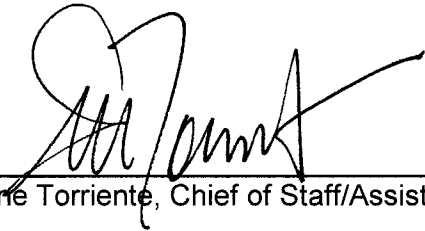
REVISED CONTRACT
COMPLETION DATE
PER WORK ORDERS
NO.: 1 THRU 11 February 20, 2006

USING AGENCY: Miami-Dade Aviation Department

FUNDING SOURCE: Aviation Revenue Bonds

DBD REVIEW: Yes

PROJECT MANAGER: Milton Johnson, MDAD



Susanne Torriente, Chief of Staff/Assistant County Manager



MEMORANDUM

(Revised)

TO: Honorable Chairman Bruno A. Barreiro
and Members, Board of County Commissioners

DATE: January 25, 2007

FROM: Murray A. Greenberg
County Attorney

SUBJECT: Agenda Item No. 8(A)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(A) (1) (A)

01-25-07

RESOLUTION NO. _____

**RESOLUTION APPROVING RETROACTIVE FINAL
CHANGE ORDER NO. 2 TO THE CONTRACT BETWEEN
TGSV ENTERPRISES, INC. AND MIAMI-DADE COUNTY,
FOR MIA CONCOURSE H GLAZING REPLACEMENT
PROJECT, PROJECT NO. F172A, AT MIAMI
INTERNATIONAL AIRPORT, WHICH INCREASES
CONTRACT AMOUNT BY \$38,277.00**

WHEREAS, the Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, this Board approves the Retroactive Final Change Order No. 2 to the Contract between TGSV Enterprises, Inc. and Miami-Dade County, for MIA Concourse H Glazing Replacement Project at Miami International Airport, Project No. F172A, which final change order increases the contract amount by \$38,277.00, all in substantially the form attached hereto, and all as more particularly set forth in the attached memorandum from the County Manager.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro, Chairman	
Barbara J. Jordan, Vice-Chairwoman	
Jose "Pepe" Diaz	Audrey M. Edmonson
Carlos A. Gimenez	Sally A. Heyman
Joe A. Martinez	Dennis C. Moss
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairperson thereupon declared the resolution duly passed and adopted this
25th day of January, 2007. This resolution shall become effective ten (10) days after the
date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only
upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. *DBM*

Deborah Bovarnick Mastin

Project/Contract Title:	MIA CONCOURSE "H" GLAZING PROTECTION (RESUBMITTAL 10/19/00) (SIC 17)		
Project/Contract No.:	MDAD #F172A		
Department:	MDAD		
Estimated Cost of Project/Bid:	\$ 2,827,018.00	Funding Source:	Passenger Facility
Description of Project/Bid:	To establish a contract to provide MIA Concourse "H" glazing protection for MDAD.		

	Measures Recommendation							
Set-Aside:	<input type="checkbox"/>	Level 1	<input type="checkbox"/>	Level 2	<input type="checkbox"/>	Level 3	Bid Preference	<input type="checkbox"/>
Trade-Set Aside	<input type="checkbox"/>						Selection Factor	<input type="checkbox"/>
No Measure	<input checked="" type="checkbox"/>							
CSBE Subcontractor Goal	<u> </u>							



Reasons for Recommendation	
Analysis of the trades required for the contract, as well as an analysis of the availability of CSBE's, revealed insufficient availability.	
SIC 1799 - Special Trade Contractors, NEC	

[illegible]

Living Wages: YES ☐ NO ☒

Responsible Wages: YES ☒ NO ☐

Ordinance 90-143 is applicable to all construction projects over \$100,000 that do not utilize Federal funds.

REVIEW COMMITTEE RECOMMENDATION			
Set-Aside	Level 1 _____	Level 2 _____	Level 3 _____
Trade Set Aside (MCC)	<input checked="" type="checkbox"/>	CSBE Subcontractor Goal	Bid Preference _____
No Measure	<input checked="" type="checkbox"/>	Deferred	Selection Factor _____
 Chairperson, Review Committee		 County Manager	
Date <u>6/22/01</u>		Date <u>06/27/01</u>	

**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

CHANGE ORDER NO. 2 (Final)

PROJECT NO. F172A

DATE: 04/03/06

PROJECT NAME: MIA CC 'H' GLAZING PROTECTION

TO CONTRACTOR: TGSV ENTERPRISES, INC.

YOU ARE HEREBY REQUESTED TO MAKE THE FOLLOWING CHANGES TO THE CURRENT CONTRACT, AND TO PERFORM THE WORK SUBJECT TO ALL CONTRACT STIPULATIONS AND COVENANTS.

ITEM NO.	DESCRIPTION	AMOUNT
1	Contractor to provide all labor, material and equipment to replace two damaged electronic deluge control panels serving zones #2 and #3. JUSTIFICATION: UNFORESEEN OR UNFORESEEABLE CHANGE	\$ 20,972.00
2	Contractor to provide all labor, material and equipment necessary to comply with a list of Fire Department requirements described in RCOs Nos. 20, 21, 25 and 28. JUSTIFICATION: OTHER AGENCY REQUESTED CHANGE	\$ 13,494.00
3.	Contractor to provide all labor, material and equipment to support the pipes feeding the Second Floor deluge sprinkler heads as indicated in accepted RFI No. 19.1 JUSTIFICATION: DESIGN OMISSION CHANGE	\$ 3,811.00

SUMMARY OF CONTRACT AMOUNT

REASON FOR CHANGE:	ORIGINAL CONTRACT AMOUNT.....	\$ 4,353,750.36
<input type="checkbox"/> Regulatory Change	COST OF CONSTRUCTION CHANGES PREVIOUSLY ORDERED.....	\$ 0.00
<input type="checkbox"/> Other Agency Requested Change	ADJUSTED CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER. \$	4,353,750.36
<input type="checkbox"/> Design Errors Change	COST OF CONSTRUCTION CHANGES THIS ORDER.....	\$ 38,277.00
<input type="checkbox"/> Design Omission Change	ADJUSTED CONTRACT AMOUNT INCLUDING THIS CHANGE ORDER \$	4,392,027.36
<input type="checkbox"/> County Requested Change	PER CENT INCREASE, THIS CHANGE ORDER	0.88%
<input type="checkbox"/> Unforeseen or Unforeseeable Change	TOTAL PER CENT INCREASE TO DATE	0.88%
	EXTENSION OF TIME ALLOWED BY THIS CHANGE _____ 0 CALENDAR DAYS TO _____	

CERTIFYING STATEMENT: I hereby certify that the supporting cost data included is, in my considered opinion, accurate; that the prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under benefit competitive bidding.

Mario O. Mas
MARIO O. MAS
SIGNATURE CONSULTING ARCHITECT OR ENGINEER

TO BE FILLED OUT BY DEPARTMENT INITIATING CHANGE ORDER

FACILITIES

DEPARTMENT

732263 (CAS)
723544 CPA

EASO/AV3201

FUNDS BUDGETED CODE

CERTIFIED BY

ACCEPTED BY:

CONTRACTOR

Great American Insurance Company

SURETY

APPROVED:

BUDGET DIRECTOR

DADE COUNTY, Florida

By its BOARD OF COUNTY COMMISSIONERS

RECOMMENDED:

PROJECT MANAGER

CHIEF ARCHITECT

CHIEF ENGINEER

By:

County Manager

DATE

APPROVED:

HNTB (CONSULTING ENGINEER) DEPT. BUSINESS DEVELOPMENT

ATTEST:

APPROVED:

DEPARTMENTAL DIRECTOR

By:

Deputy Clerk

cc: A/E Consultant, General Contractor, Surety, Project Manager, HNTB, DAC Projects Control, Contracts Administration

Change Order No. 2 (Final)

MDAD Project No. F172A

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**MIAMI - DADE COUNTY
CHANGE ORDER TO ORIGINAL CONTRACT**

CHANGE ORDER NO 2

PROJECT NO. F172A

DATE: 04/03/06

PROJECT NAME: MIA CC 'H' GLAZING PROTECTION

TO CONTRACTOR: TGSV ENTERPRISES, INC.

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
1.	Hurricane Katrina caused two of the deluge panels to be damaged by water intrusion and had to be replaced.	\$ 20,972.00
2.	Fire Department required a list of changes and additions to the original approved design for a total of \$13,494.00	\$ 13,494.00
3.	The pipe hangers specified did not meet the actual existing conditions, hanger design had to be modified to meet these conditions.	\$ 3,811.00

TOTAL THIS CHANGE ORDER: \$ 38,277.00

GREAT AMERICAN INSURANCE COMPANY

Administrative Office: 580 WALNUT STREET • CINCINNATI, OHIO 45202 • 513-369-5000 • FAX 513-723-2740

The number of persons authorized by
this power of attorney is not more than FIVE

No. 0 17715

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the GREAT AMERICAN INSURANCE COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Ohio, does hereby nominate, constitute and appoint the person or persons named below its true and lawful attorney-in-fact, for it and in its name, place and stead to execute in behalf of the said Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; for all obligees including any and all consents required by the Department of Transportation, State of Florida, incident to the release of retained percentages and/or final estimates; provided that the liability of the said Company on any such bond, undertaking or contract of suretyship executed under this authority shall not exceed the limit stated below.

Name	Address	Limit of Power
CHARLES J. NIELSON	MARV C. ACEVES	ALL
CHARLES D. NIELSON	MIAMI LAKES, FLORIDA	UNLIMITED
WARREN ALTER		
GLORIA MCCLURE		

This Power of Attorney revokes all previous powers issued in behalf of the attorney(s)-in-fact named above.

IN WITNESS WHEREOF the GREAT AMERICAN INSURANCE COMPANY has caused these presents to be signed and attested by its appropriate officers and its corporate seal hereunto affixed this 26TH day of JULY, 2004
Attest GREAT AMERICAN INSURANCE COMPANY

DAVID C. KITCHIN (513-412-4602)

STATE OF OHIO, COUNTY OF HAMILTON - ss:

On this 26TH day of JULY, 2004, before me personally appeared DAVID C. KITCHIN, to me known, being duly sworn, deposes and says that he resides in Cincinnati, Ohio, that he is the Divisional Senior Vice President of the Bond Division of Great American Insurance Company, the Company described in and which executed the above instrument; that he knows the seal of the said Company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed by authority of his office under the By-Laws of said Company, and that he signed his name thereto by like authority.

This Power of Attorney is granted by authority of the following resolutions adopted by the Board of Directors of Great American Insurance Company by unanimous written consent dated March 1, 1993.

RESOLVED: That the Division President, the several Division Vice Presidents and Assistant Vice Presidents, or any one of them, be and hereby is authorized, from time to time, to appoint one or more Attorneys-in-Fact to execute on behalf of the Company, as surety, any and all bonds, undertakings and contracts of suretyship, or other written obligations in the nature thereof; to prescribe their respective duties and the respective limits of their authority; and to revoke any such appointment at any time.

RESOLVED FURTHER: That the Company seal and the signature of any of the aforesaid officers and any Secretary or Assistant Secretary of the Company may be affixed by facsimile to any power of attorney or certificate of either given for the execution of any bond, undertaking, contract or suretyship, or other written obligation in the nature thereof, such signature and seal when so used being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

CERTIFICATION

I, RONALD C. HAYES, Assistant Secretary of Great American Insurance Company, do hereby certify that the foregoing Power of Attorney and the Resolutions of the Board of Directors of March 1, 1993 have not been revoked and are now in full force and effect.

Signed and sealed this 5th day of July, 2006

FLORIDA DEPARTMENT OF INSURANCE

MARY COLE ACEVES

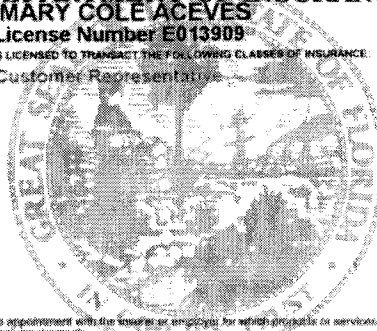
License Number E013909

IS LICENSED TO TRANSACT THE FOLLOWING CLASSES OF INSURANCE:

Customer Representative



RESIDENT
LICENSE



This Licensee must have an active appointment with the insurer or employer for which products or services are being marketed. See reverse for additional requirements.
The Florida Department of Insurance is the sole authority for the issuance of licenses and the Department of Insurance is the sole authority for the issuance of licenses.

Miami Dade Aviation Department
Change Order No. 2 (Final)
Project No. F172A

RELEASE OF CLAIM

In consideration of and conditional upon payment to Contractor by Miami-Dade County (hereinafter "County"), of the final Contract Amount shown on the cover page, which amount includes the final Pay Application in this contract, the Contractor releases County, and its officers, employees, and agents from, and waives and relinquishes any and all claims, disputes or causes of action it has or may have against the County, and its officers, employees and agents arising out of, or in connection with, the Change Order or the work performed or to be performed under the Contract Documents.

The Contractor accepts the Final Pay Application and the Final Contract Amount as full accord and satisfaction of all the monies due it under or in connection with the Contract Documents and the work performed under the Contract Documents.

By accepting the work, County waives all claims against Contractor, except that County expressly reserves the right:

- (1) to require the repair or replacement of defective work under warranty and guaranty provisions of the Contract Documents;
- (2) to require the repair or replacement of latent defects in the work to the extent provided by Florida law;
- (3) to perform audits and seek reimbursement of any overpayments discovered as a result of an audit, as provided in the Contract Documents;
- (4) to enforce those provisions of the Contract Documents which specifically provide that they survive the completion of the work; and
- (5) to enforce the terms of the Payment and Performance Bonds against Surety.

Contractor has read these provisions prior to executing the Final Change on the cover page of this document and understands his rights.